

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17-CV-056-GCM-DCK

STACEY MICHELLE EDWARDS,)
For C.H.H., a minor)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court on Plaintiff's Motion to Dismiss Civil Action, Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure (Doc. No. 13). A Memorandum and Recommendation of United States Magistrate David C. Keesler (Doc. No. 14) was issued on December 8, 2017, recommending that Plaintiff's Motion be granted. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), written objections to the Memorandum and Recommendation must be filed within 14 days after service of the memorandum. It appears to the Court that the parties have not filed any such objections.

After an independent and thorough review of the magistrate's memorandum, the Court concludes that there is no clear error on the face of the record and that the recommendation to grant Plaintiff's Motion to voluntarily dismiss is correct and in accordance with law. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

IT IS THEREFORE ORDERED that the Memorandum and Recommendation of the magistrate (Doc. No. 14) is hereby **AFFIRMED**, and Plaintiff's Motion to Dismiss (Doc. No. 13)

is GRANTED. This matter is dismissed with prejudice.

SO ORDERED.

Signed: January 10, 2018

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

